

Comments to Docket ID No. OPA-2004-0007.

Uniseal Inc. agrees with the 3-tiered approach presented in "Data on Facilities that Handle Below a Certain Threshold of Oil ("Certain Facilities")." We believe that 40 CFR 112 (SPCC) should be revised to reflect varying degrees of necessary requirements with respect to varying storage capacities.

- The first tier would comprise facilities that handle very small volumes of oil, ranging from 1,321 gallons to 5,000 gallons. These facilities would be exempt from having to have a written plan and/or PE certification, but would have to submit to EPA a signed letter of notification that expressed an intent to comply with the SPCC. With respect to this being somewhat analogous to the SQG status used under RCRA, risk to the environment would not increase. The approach used in RCRA has proven to be successful.
- The second tier could comprise facilities that handle 5,001 to 10,000 gallons. These facilities would be required to have a written SPCC plan but the plan would not have to be certified by a PE and a PE site visit would not be required.
- The third tier would comprise the remaining facilities (those that handle more than 10,000 gallons), who would have to have a written plan certified by a PE.

Uniseal also believes that EPA should consider allowing ISO-14001 certification by a RAB-approved registrar to replace the PE certification.

Uniseal Inc. 2 is a Small Quantity Generator under RCRA. As such, we do not have a hazardous waste permit. We do, of course, have an ID number and meet all applicable substantive provisions of the rule. We have not had any incidents or violations. As an ISO-14001 certified company, we have implemented procedures that are used by personnel who engage in related duties. Personnel are periodically audited to verify compliance with and integrity of the procedures. Applicable procedures also exist for oil spill prevention and response. In addition, all personnel receive regular refresher training on operational control and emergency response procedures that are related to their respective job functions. Our experience is that the structure and requirements of the tiered approach somewhat analogous to RCRA is sufficient to ensure compliance and protection of the environment.

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